

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MICHAEL BUSH,

Plaintiff,

v.

THE WANG CENTER FOR THE
PERFORMING ARTS, INC. d/b/a Boch Center,

Defendant.

Case No.: 1:22-cv-10473-GAO

MOTION TO WITHDRAW AS COUNSEL FOR THE PLAINTIFF, MICHAEL BUSH

I, Richard C. Chambers, Jr., Esq., (“Counsel”) for the Plaintiff, MICHAEL BUSH (“Plaintiff”), in the above-entitled action, respectfully request that this Honorable Court allow me to withdraw as counsel for the Plaintiff.

As grounds and reasons therefore, Counsel submits the followings:

1. I maintain a law practice that specializes in civil and criminal defense, with principal offices located at 220 Broadway, Suite 404, Lynnfield, MA 01940 and a telephone number of (781) 581-2031;
2. I am duly licensed, in good standing and eligible to practice law in the Commonwealth of Massachusetts, admitted to practice before the Massachusetts Supreme Judicial Court and all other courts therein since January 22, 2002. Additionally, I have twenty (20) years’ experience prosecuting and defending civil actions;

3. I am duly licensed, in good standing and eligible to practice law in the United States District Court, District of Massachusetts, admitted to practice before said Court on December 12, 2002;
4. I am duly licensed, in good standing and eligible to practice law in the United States Court of Appeals for the First Circuit, admitted to practice before said Court on December 23, 2002;
5. I am not currently suspended or disbarred in any jurisdiction, and further state that I have never been disciplined in the practice of law, in any jurisdiction;
6. I am a member in good standing in all jurisdictions and/or courts to which I have been admitted;
7. This matter was originally filed in Massachusetts State Court, in the Middlesex County Superior Court, on January 31, 2022, See, copy of State court docket, attached hereto as “Exhibit A”;
8. On or about February 24, 2022, Plaintiff requested that Counsel withdraw his appearance in State court because he wished to represent himself and proceed *pro se*;
9. At that time, the Complaint had not been served and there were no pending motions before the State court;
10. Shortly thereafter, Counsel learned that his *Assented to Notice to Withdraw* was not allowed because it had not been served pursuant to Superior Court Rule 9A.
11. Counsel’s office spoke to the Clerk’s office and informed the Clerk that it could not be served pursuant to Superior Court Rule 9A because the Complaint had yet to be served;
12. The Clerk’s office instructed that Plaintiff have the Complaint served and then file an *Assented to Motion to Withdraw* pursuant to Superior Court Rule 9A;

13. Plaintiff served his Complaint upon the Defendant on March 10, 2022, See, copy of summons and return of service, attached hereto as “Exhibit B”;
14. Subsequently, an *Assented to Motion to Withdraw* was served upon the Defendant, pursuant to Superior Court Rule 9A, on or about March 15, 2022;
15. Counsel for the Defendant failed to confer with Counsel or file an opposition to his Motion to Withdraw in State court;
16. On April 6, 2022, Counsel received the *Assented to Motion to Withdraw* back from the State court, with notice that the case had been transferred to the U.S. District Court, See, returned pleadings, attached hereto as “Exhibit C”;
17. On or about April 5, 2022, after 5:00 P.M., Defendant’s counsel contacted Counsel regarding their Motion to Dismiss filed via ECF on April 5, 2022 after 5:00 P.M.;
18. Counsel reminded Defendant’s counsel that he had filed two (2) Motions to Withdraw and requested their assent and he was told that they would get back to him;
19. Counsel has spoken extensively with the Plaintiff Mr. Bush and has been advised by him that he wishes to proceed in Federal Court in a *pro se* capacity;
WHEREFORE, in the interests of justice, Counsel respectfully requests that this Honorable Court allow me to withdraw as counsel for the Plaintiff.

Respectfully submitted,
The Plaintiff,
Michael Bush,
By his attorney

DATED: April 6, 2021

/s/ Richard C. Chambers, Jr., Esq.

Richard C. Chambers, Jr., Esq.
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CERTIFICATE OF SERVICE

I hereby certify that this document was filed through the ECF system and will therefore be sent electronically to the registered participants as identified on the Notice of Electric Filing (NEF) and paper copies will be sent this day to those participants indicated as non-registered participants.

DATED: April 6, 2021

/s/ Richard C. Chambers, Jr., Esq.

Richard C. Chambers, Jr., Esq.